IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

Bail Appl..No. 2279 of 2007()

CC.385/2002 of J.M.F.C.-V,KOZHIKODE

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PETITIONER :

N. HARI, S/O. KRISHNAN,
NECHIKADU, ARIYALLUR AMSOM
KODAKADU, MALAPPURAM

BY ADV. SRI.PROMY KAPRAKKATT
SRI.K.N.ABHILASH

RESPONDENTS:

THE STATE OF KERALA,
REPRESENTED BY THE CIRCLE INSPECTOR OF POLICE,
CITY TRAFFIC STATION

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 2279 of 2007

DATED: 13-04-2007

O R D E R

Petitioner who is the first accused in Crime No. 374 of 2002 of the Kozhikode City Traffic Police Station for offences punishable under Sections 279, 337 and 304 A I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. 385/'02 on the file of the J.F.C.M.-V, Kozhikode, the case against him was transferred to the Long Pending Case Register and registered as L.P.C.No. 195 of 2005. Admittedly, non-bailable warrants of arrest are pending against the petitioner.

3. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail, within two weeks from today, the same shall be considered preferably on the same date on which it is filed after examining the explanation offered by the petitioner for his previous non-appearance and also after considering his contention that he is getting married on 26-04-2007.

With the above observation this application is disposed of.

V.RAMKUMAR, JUDGE.

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